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OFFICE OF PETITIONS

Applicant: Tramontina et al.
Appl. No.: 10/657,386
Filing Date: September 8, 2003
Title: CONTAINER AND CARTRIDGE FOR DISPENSING PAPER PRODUCTS
Attorney Docket No.: 19,265
Pub. No.: US 2004/0206768 A1
Pub. Date: October 21, 2004

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), filed on October 6, 2005, for the above-identified application.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication contains the contents of a provisional application submitted as a reference in an information disclosure statement.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable."

The request for corrected publication received on October 6, 2005, was not timely filed under 37 CFR 1.221 (b).

With respect to Applicant's statement that he did not receive a Notice of Publication, the projected publication date was printed on the Filing Receipt.

Due to the nature of the errors in this publication, the office will *sua sponte* publish a corrected patent application publication. The corrected patent application publication will be published in due course, unless the application is allowed and the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).

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for Patent Examination Policy